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11 **UNITED STATES DISTRICT COURT**
12 **NORTHERN DISTRICT OF CALIFORNIA**

13 HOOPA VALLEY TRIBE,

14 Plaintiff,

15 v.

16 UNITED STATES BUREAU OF
17 RECLAMATION; DAVID BERNHARDT,
in his official capacity as Secretary of the
18 Interior; BRENDA BURMAN, in her
official capacity as Commissioner of the
19 United States Bureau of Reclamation;
ERNEST CONANT, in his official capacity
20 as U.S. Bureau of Reclamation California-
Great Basin Regional Director; and UNITED
21 STATES DEPARTMENT OF THE
22 INTERIOR

23 Defendants.

Case No. 3:20-cv-05630-RS

**DECLARATION OF LISA M. HOLM IN
SUPPORT OF FEDERAL
DEFENDANTS' MOTION TO DISMISS**

24 **DECLARATION**

25
26 I, Lisa M. Holm, declare as follows:

- 27 1. I submit this declaration in support of the Federal Defendants' Motion to Dismiss. The
28 following facts are within my personal knowledge.

- 1 2. I am employed as a Supervisory Repayment Specialist with the U.S. Bureau of
2 Reclamation (Reclamation) in the Department of the Interior, with an educational
3 background in Mechanical and Environmental Engineering. I have been employed by
4 Reclamation since 2008. My current responsibilities include supervision of the water
5 rights and water supply contracting staff. In October 2019 I took over functional
6 responsibility for program-level management of the Water Infrastructure Improvements
7 for the Nation Act (WIIN) contract conversions within the Central Valley Project.
8
9 3. As the program manager of the WIIN Act contract conversions within the Central Valley
10 Project (“CVP”), I review for accuracy and completeness all contracts before they are
11 executed by the Regional Director of the California-Great Basin Region and I track the
12 status of all potential and completed contracts.
13
14 4. At this time, Reclamation has CVP-related contracts with 234 local water contractors.
15
16 5. Of those, 198 contractors hold contracts that potentially qualify for conversion, and 79
17 have requested that their contracts be converted pursuant to the WIIN Act.
18
19 6. To date, Reclamation has executed 56 contracts pursuant to the WIIN Act and 34
20 contracts are in the process of being converted.
21
22 7. 119 contractors have water service contracts or renewable term repayment contracts and
23 have not requested conversion pursuant to the WIIN Act.
24
25 8. Having managed the conversion of these contracts, I can state that these contract
26 conversions modify the terms of repayment of long-term capital construction costs
27 related to the CVP. Namely, conversion contracts accelerate repayment of CVP-related
28 construction costs from the original due date of 2030 pursuant to the provisions of §

- 1 4011(a)(2) of the WIIN Act. Depending on the particular conversion contract, repayment
2 now ranges from immediate repayment to, at the latest, repayment by 2023.
- 3 9. The conversion contracts do not alter the *status quo* as to water delivery and therefore do
4 not affect water levels. In other words, the quantities of water to be delivered and the
5 timing of those deliveries are unaffected by the contract conversions.
- 6 10. The converted contracts, just like the prior contracts, condition water delivery on the
7 Federal Defendants' ability to comply with federal reclamation law.

8 I declare under penalty of perjury that the foregoing information is true and correct.

9 Executed this 23rd day of October, 2020, in Sacramento, California.

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14 Lisa M Holm, PE
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